SINGLE BENCH

CF1002

In the Honble High Court of Judicature of Chhattishgarh at Bilaspur (C.G.)

W.P. No. 4094 2006

P.R. No. 4168/06
Presented by Shri S.K. Koram
Dated 13/6/06

Petitioner ... ... Komal Kumar Meshram, aged 42 years
Son of Shri Brijlal Meshram,
Assistant Teacher, Middle School,
Village Bhojtalla, Tribal Block Mohala,
District Durg (C.G.)

Versus

Respondents ..... 1. The State Government of Chhattishgarh,
Through the Secretary,
Tribal Welfare Department Ministry,
D.K.S. Bhavan, Raipur (C.G.)

2. The Education Officer, Mohala
District Rajnandgaon (C.G.)

RECEIVED COPY
1/8/06
CLERK to A. G. BILASPUR

R. 3. Block Education Officer, Mohala
Distt. Rajnandgaon.

Writ Petition under Articles 226 and 227 of the Constitution of India for the issuance of WRIT in the nature of MANDAMUS certiorari, Prohibition and for other Suitable writ or writs, order or orders, Direction or Directions.

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. No. 4094 of 2006

Petitioner : Komal Kumar Meshram

Versus

Respondents : The State Govt. of Chhattisgarh & others

W. P. No. 4095 of 2006

Petitioner : Som Nath Bhandari

Versus

Respondents : The State Govt. of Chhattisgarh & others

W. P. (s) No. 4486 of 2006

Petitioner : Shri Jagguram Marge

Versus

Respondents : The State Govt. of Chhattisgarh & another

W. P. (s) No. 5085 of 2005

Petitioner : Ku. Manorama Shende

Versus

Respondents : State Govt. of Chhattisgarh & others

And

W. P. (s) No. 5086 of 2005

Petitioner : Shri Tahalram Dewangan

Versus

Respondents : State Govt. of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Ajay Shrivastava, Advocate for the Petitioners.
Shri V.V.S. Moorthy, Dy. Advocate General with Smt. Anju Ahuja, Dy. Govt. Advocate for the respondents/State.

(B2)

ORDER

(9th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B.Ed./B.T.I Examination Certificate.

2. The present writ petitions, being W.P. Nos. 4094/2006, 4095/2006, W.P.(s.) Nos. 4486/2006, 5085/2005 and 5086/2005 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of

(24)

Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petitions are allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificate on their own expenses or not. No order as to costs.

6. A copy of this order be placed on record of other connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

Subhash